

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RICHARD CROWELL,

Plaintiff,

v.

BADAWI ABDELLATIF,

Defendant.

Case No. 15-10690

SENIOR U.S. DISTRICT JUDGE  
ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE  
R. STEVEN WHALEN

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**ORDER ADOPTING REPORT AND RECOMMENDATION RECOMMENDING GRANTING  
WITHOUT PREJUDICE PLAINTIFF’S REQUEST TO DISMISS [33]; GRANTING  
PLAINTIFF’S MOTION FOR VOLUNTARY DISMISSAL [31]; DENIED AS MOOT  
PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION [27]; DECLINING TO  
ADOPT AS MOOT REPORT AND RECOMMENDATION RECOMMENDING DENYING  
DEFENDANT’S MOTION TO REVOKE PLAINTIFF’S IN FORMA PAUPERIS STATUS  
AND TO DISMISS [24]; DENIED AS MOOT DEFENDANT’S MOTION TO REVOKE  
PLAINTIFF’S IN FORMA PAUPERIS STATUS AND TO DISMISS [20]**

On February 23, 2015, Plaintiff, a Michigan Department of Corrections inmate, filed a 42 U.S.C. § 1983 pro se complaint. Currently before the Court is Plaintiff’s motion for voluntary dismissal [31]; Plaintiff’s motion for preliminary injunction [27]; Defendant’s motion to revoke Plaintiff’s in forma pauperis status and to dismiss [20]; and Reports and Recommendations regarding Plaintiff’s

request to dismiss [33] and Defendant's motion to revoke Plaintiff's in forma pauperis status and to dismiss [24].

On August 20, 2015, Plaintiff filed a request for voluntary dismissal, modified to a motion on October 9, 2015, requesting the Court to dismiss without prejudice his instant civil complaint. [31]. Defendants filed a response on August 27, 2015 stating that Defendant had no objection to the request for dismissal without prejudice. [32]. On October 6, 2015, the Magistrate recommended granting the dismissal without prejudice and gave a deadline of fourteen days from time of service to object to the R&R. [33]. Service was effectuated on October 6, 2015 and as of October 22, 2015 there has been no objections filed. Given that no objections have been filed, the Court **ADOPTS** the report and recommendation to grant without prejudice Plaintiff's request to dismiss. [33].

**IT IS ORDERED** that the Court **ADOPTS** the Report and Recommendation granting without prejudice Plaintiff's request to dismiss. [33]. Accordingly, Plaintiff's motion for voluntary dismissal [31] is **GRANTED WITHOUT PREJUDICE**; Plaintiff's motion for preliminary injunction [27] is **DENIED AS MOOT**; Defendant's motion to revoke in forma pauperis status and to dismiss [20] is **DENIED AS MOOT**; and accordingly the Report and recommendation denying Defendant's motion to revoke Plaintiff's in forma

pauperis status and to dismiss [24] is not adopted by the Court given that the motion is moot.

s/Arthur J. Tarnow

Arthur J. Tarnow

Senior United States District Judge

Dated: October 27, 2015